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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,026	02/22/2005	Thomas Beck	2002P12057WOUS	3685

7590 05/01/2006

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

AURORA, REENA

ART UNIT PAPER NUMBER

2862

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/525,026

Applicant(s)

BECK ET AL.

Examiner

Reena Aurora

Art Unit

2862

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/22/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16 - 31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16 - 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/22/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 16 – 31 are presented for examination.

Claim Objections

Claim 26 objected to because of the following informalities: claim 26 depends from claim 1, it appears to be a typing error. Applicant is suggest to change the phrase "claim 1" to the phrase "claim 16". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 16 - 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Valteau et al. (5,028,100).

As to claims 16 - 18, Valteau et al. (hereinafter Valteau) discloses nondestructive eddy current testing of structural members wherein determining a degraded region of the component by an eddy current measurement, wherein at least two different measurement frequencies (col. 3, lines 33 - 39) are used for the eddy current measurement and the regions of the component do not contain any ferromagnetic materials (fig. 1 and 2, col. 7, lines 31 – 41 and Abstract).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19 – 21, 23 and 26 – 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valleau et al. (5,028,100) in view of Beeck et al. (6,534,975).

As to claims 19 – 21, 23 and 26 - 30, Valleau fails to disclose oxide regions composed of oxidized carbides near a surface of the component. Beeck et al. (hereinafter Beeck) discloses eddy current test methods wherein the surface of the component is composed of oxidized carbides (col. 3, lines 10 - 13). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device of Valleau with the teachings of Beeck such that using oxidized carbide layer as a surface of the component would provide a precise signal measurement.

As to claim 31, Valleau fails to disclose that the component is a blade or vane. Beeck discloses that the component is a blade (Note Abstract). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device of Valleau with the teachings of Beeck such that using the nondestructive eddy-current testing method on a turbine blade during the test phase of coating to avoid the known destruction of the turbine blade resulting in reduced cost of the device.

Claims 22, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valteau et al. (5,028,100) in view Goldfine et al. (5,793,206).

As to claims 22, 24 and 25, Valteau fails to disclose the probe with coils in meandering form. Goldfine et al. (hereinafter Goldfine) discloses a meandering winding test circuit wherein the coil is in meandering form (fig. 10A). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device of Valteau with the teachings of Goldfine such that providing the coils in the probe in meandering form results in an improved high frequency response and also provides a larger output signal (col. 5, lines 29 – 34 and col. 6, lines 13 - 33).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reena Aurora whose telephone number is 571-272-2263. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, E. Lefkowitz can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2862

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Reena Aurora